

IN THE CLAIMS

The following listing of claims will replace all prior versions, and listings, of claims in this application:

Claim 1 (Previously Presented): An isolated polynucleotide which encodes a protein comprising the amino acid sequence of SEQ ID NO: 2, wherein said protein has the activity of the RodA cell division protein.

Claim 2 (Canceled).

Claim 3 (Previously Presented): A vector comprising the isolated polynucleotide of Claim 1.

Claim 4 (Previously Presented): A host cell comprising the isolated polynucleotide of Claim 1.

Claim 5 (Previously Presented): The host cell of Claim 4, which is a *coryneform* bacterium.

Claim 6 (Previously Presented): The host cell of Claim 4, wherein said host cell is selected from the group consisting of *Corynebacterium glutamicum*, *Corynebacterium acetoglutamicum*, *Corynebacterium acetoacidophilum*, *Corynebacterium melassecola*, *Corynebacterium thermoaminogenes*, *Brevibacterium flavum*, *Brevibacterium lactofermentum*, and *Brevibacterium divaricatum*.

Claims 7-9 (Canceled).

Claim 10 (Previously Presented): A method for making a RodA protein, comprising culturing the host cell of Claim 4 for a time and under conditions suitable for expression of the RodA protein; and collecting the RodA protein.

Claim 11 (Previously Presented): An isolated polynucleotide, which comprises SEQ ID NO:1 and encodes a protein which has the activity of the RodA cell division protein.

Claim 12 (Previously Presented): An isolated polynucleotide, which is complimentary to the polynucleotide of Claim 11.

Claims 13-15 (Cancelled).

Claim 16 (Previously Presented): An isolated polynucleotide, which comprises at least 23 consecutive nucleotides of the polynucleotide of Claim 11.

Claim 17 (Currently Amended): An isolated polynucleotide, which hybridizes under stringent conditions to the polynucleotide of Claim 11 or the complement thereof; wherein said stringent conditions comprise washing in ~~5X SSC~~ 0.5 X SSC at a temperature ~~from 50 to~~ of 68°C.

Claim 18 (Canceled).

Claim 19 (Previously Presented): A vector comprising the isolated polynucleotide of Claim 11.

Claim 20 (Previously Presented): A host cell comprising the isolated polynucleotide of Claim 11.

Claim 21 (Previously Presented): The host cell of Claim 20, which is a *coryneform* bacterium.

Claim 22 (Previously Presented): The host cell of Claim 20, wherein said host cell is selected from the group consisting of *Corynebacterium glutamicum*, *Corynebacterium acetoglutamicum*, *Corynebacterium acetoacidophilum*, *Corynebacterium melassecola*, *Corynebacterium thermoaminogenes*, *Brevibacterium flavum*, *Brevibacterium lactofermentum*, and *Brevibacterium divaricatum*.

Claims 23-25 (Canceled):

Claim 26 (Previously Presented): A method for making RodA protein, comprising

- a) culturing the host cell of Claim 20 for a time and under conditions suitable for expression of the RodA protein; and
- b) collecting the RodA protein.

Claims 27-37 (Canceled).

Claim 38 (Currently Amended): A process for producing an L-amino acid, comprising culturing the host cell of Claim 4 in a medium suitable for producing the L-amino acid; and collecting the L-amino acid produced.

Claim 39 (Previously Presented): The process of Claim 38, wherein said host cell is a *coryneform* bacterium or *Brevibacterium*.

Claim 40 (Previously Presented): The process of Claim 39, wherein said host cell is selected from the group consisting of *Corynebacterium glutamicum*, *Corynebacterium acetoglutamicum*, *Corynebacterium acetoacidophilum*, *Corynebacterium melassecola*, *Corynebacterium thermoaminogenes*, *Brevibacterium flavum*, *Brevibacterium lactofermentum*, and *Brevibacterium divaricatum*.

Claim 41 (Previously Presented): The process of Claim 38, wherein the L-amino acid is L-lysine.

Claim 42 (Previously Presented): The process of Claim 38, further comprising isolating the L-amino acid.

Claim 43 (Previously Presented): A process for producing an L-amino acid, comprising

- a) culturing the host cell of Claim 20 in a medium suitable for producing the L-amino acid and for a time and under conditions suitable for producing the L-amino acid; and
- b) collecting the L-amino acid.

Claim 44 (Previously Presented): The process of Claim 43, wherein said host cell is a *coryneform* bacterium or *Brevibacterium*.

Claim 45 (Previously Presented): The process of Claim 44, wherein said host cell is selected from the group consisting of *Corynebacterium glutamicum*, *Corynebacterium acetoglutamicum*, *Corynebacterium acetoacidophilum*, *Corynebacterium melassecola*, *Corynebacterium thermoaminogenes*, *Brevibacterium flavum*, *Brevibacterium lactofermentum*, and *Brevibacterium divaricatum*.

Claim 46 (Previously Presented): The process of Claim 43, wherein the L-amino acid is L-lysine.

Claim 47 (Previously Presented): The process of Claim 43, further comprising isolating the L-amino acid.

Claim 48 (Previously Presented): An isolated polynucleotide, comprising at least 23 consecutive nucleotides of SEQ ID NO: 1, having the function of a primer in a polymerase chain reaction to prepare or amplify a polynucleotide encoding a protein/polypeptide having the activity of the RodA cell division protein.

Claim 49 (Previously Presented): An isolated polynucleotide comprising at least 23 consecutive nucleotides of SEQ ID NO: 1 or the complement thereof, having the function of a probe in a hybridization reaction to isolate, detect, or determine a polynucleotide encoding a protein/polypeptide having the activity of the RodA cell division protein.